

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

THE CITY OF NEW YORK; THE CITY OF
PHILADELPHIA; and THE CITY AND
COUNTY OF SAN FRANCISCO;

Plaintiffs,

Civil Action No.: 1:17-cv-01464-
CMH-MSN

v.

THE UNITED STATES DEPARTMENT OF
DEFENSE; *et al.*;

Defendants.

PLAINTIFFS' MOTION FOR EXPEDITED DISCOVERY

Plaintiffs the City of New York, the City of Philadelphia and the City and County of San Francisco (collectively, "Plaintiffs"), by and through their undersigned counsel, respectfully move this Court for the entry of an Order permitting them to conduct limited discovery in this matter, on an expedited basis, pursuant to Rule 26(d) of the Federal Rules of Civil Procedure and this Court's Local Rules.

Pursuant to Local Civil Rule 7(E), the attorneys for the parties have met and conferred on December 28, 2017, in a good faith effort to narrow the areas of disagreement on this motion, but they have not been successful.

For the reasons stated in the Memorandum of Law, Plaintiffs respectfully request that the Court enter the Proposed Order filed herewith, and grant such further relief as is just and proper.

December 29, 2017

Respectfully submitted,

Kenneth W. Taber (*pro hac vice* forthcoming) (Lead Counsel)

Matthew F. Putorti (*pro hac vice* forthcoming)

Nicholas M. Buell (*pro hac vice* forthcoming)

PILLSBURY WINTHROP SHAW PITTMAN LLP

1540 Broadway

New York, NY 10036

Phone: 212.858.1000

Fax: 212.858.1500

kenneth.taber@pillsburylaw.com

matthew.putorti@pillsburylaw.com

nicholas.buell@pillsburylaw.com

/s/ Matthew J. MacLean

Matthew J. MacLean (VSB No. 44304)

PILLSBURY WINTHROP SHAW PITTMAN LLP

1200 Seventeenth Street NW

Washington, DC 20036

Phone: 202.663.8000

Fax: 202.663.8007

matthew.maclea@pillsburylaw.com

Attorneys for all Plaintiffs

Zachary W. Carter (*pro hac vice* forthcoming)

Eric Proshansky (*pro hac vice* forthcoming)

Melanie C.T. Ash (*pro hac vice* forthcoming)

NEW YORK CITY LAW DEPARTMENT

100 Church Street

New York, NY 10007

Phone: 212.356.2032 / 212.356.2276

Fax: 212.356.2038

zcarter@law.nyc.gov

eproshan@law.nyc.gov

mash@law.nyc.gov

Attorneys for Plaintiff the City of New York

Sozi Pedro Tulante (*pro hac vice* forthcoming)

Marcel S. Pratt (*pro hac vice* forthcoming)

Eleanor N. Ewing (*pro hac vice* forthcoming)

Benjamin H. Field (*pro hac vice* forthcoming)
CITY OF PHILADELPHIA LAW DEPARTMENT
1515 Arch Street, 17th Floor
Philadelphia, PA 19102
(215) 683-5000
sozi.tulante@phila.gov
marcel.pratt@phila.gov
eleanor.ewing@phila.gov
benjamin.field@phila.gov

Attorneys for Plaintiff the City of Philadelphia

Dennis J. Herrera (*pro hac vice* forthcoming)
Yvonne R. Mere (*pro hac vice* forthcoming)
Owen J. Clements (*pro hac vice* forthcoming)
SAN FRANCISCO CITY ATTORNEY'S OFFICE
Fox Plaza, 1390 Market Street, 7th Floor
San Francisco, CA 94102-5408
Phone: 415.554.3874
Fax: 415.437.4644
yvonne.mere@sfcityatty.org
owen.clements@sfcityatty.org

Attorneys for Plaintiff the City and County of San Francisco

CERTIFICATE OF SERVICE

I hereby certify that on the 29th day of December, 2017, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system.

I hereby certify that I will cause the foregoing to be sent to the defendants by certified U.S. mail and will email the foregoing to the attorney for all defendants, Daniel Halainen, Esq., on the 29th day of December, 2017.

/s/ Matthew J. MacLean

Matthew J. MacLean (VSB No. 44304)

PILLSBURY WINTHROP SHAW PITTMAN LLP

1200 Seventeenth Street NW

Washington, DC 20036

Phone: 202.663.8000

Fax: 202.663.8007